

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

EDWARD NORDSTROM,

Petitioner,

Case No. 09-11698

Hon. Marianne O. Battani

v.

Magistrate Judge Paul J. Komives

DEBRA SCUTT,

Respondent.

**ORDER ADOPTING REPORT AND RECOMMENDATION AND
DENYING PETITION FOR WRIT OF HABEAS CORPUS**

In May 2009, Petitioner Edward Nordstrom filed a petition for writ of habeas corpus. The Court referred this matter to Magistrate Judge Paul J. Komives pursuant to 28 U.S.C. § 636(b)(1) for a report and recommendation (“R&R”). On July 15, 2010, he issued his R&R. The Magistrate Judge recommended that “[t]he Court deny Petitioner’s application for the writ of habeas corpus and grant a Certificate of Appealability for two of Petitioner’s three claims.” R&R at 2. The Magistrate Judge informed the parties that objections to the R&R must be filed within fourteen days of service and that a party’s failure to file objections would waive any further right of appeal. See R&R at 16; 28 U.S.C. § 636(b)(1) and E.D. Mich. LR 72.1(d)(2).

Because no objection has been filed in this case, the parties waived their right to review and appeal. Accordingly, the Court **ADOPTS** the Report and Recommendation, **DENIES** the petition for writ of habeas corpus; and issues a certificate of appealability on the claims of improper jury instruction and ineffective assistance of counsel.

IT IS SO ORDERED.

s/Marianne O. Battani
MARIANNE O. BATTANI
UNITED STATES DISTRICT JUDGE

DATED: August 25, 2010

CERTIFICATE OF SERVICE

Copies of this Order were mailed to counsel of record and petitioner on this date by ordinary mail and electronic filing.

s/Bernadette M. Thebolt
Case Manager